Vancouver, B.C.
January 14, 1988

THE REGISTRAR: Order in court. In the Supreme Court of British Columbia, Thursday, the 14th day of January, 1988. Calling Delgamuukw against Her Majesty the Queen, My Lord.

THE COURT: Mr. Rush, before you begin, I wonder if I can get some assistance. Looking at the genealogy in tab 1, I'm turning to the page where we find the witness which is the 9th page according to my numbering. I wonder if you can assist me first. Peter -- says Peter Brasil, B-R-A-S-I-L.

MR. RUSH: Should be Basil.

THE COURT: I wondered about that. B-A-S-I-L?

MR. RUSH: Yes.

THE COURT: All right. That's a small problem.

MR. RUSH: Just let me check. I think it's "S".

THE COURT: Well as I read this genealogy, it seems to me that it shows this witness has 18 children not 13 as she mentioned.

MR. RUSH: I think the witness was referring to her -- the children -- or at least I'm supposing that she was referring to the children that survived.

THE COURT: Well she told us -- well for example, I've got -- if I look on the line between herself -- emanating from Peter Alfred and Madeline Alfred, I have Irene, Andrew, Henry, Janet, and then on the next page we have Darlene, Dorothy, Helen, Edna, Patsy, Betty, Vina, Cecil, Shirley, Tina, Paul, Christine and Gina. Now, I believe that the dot inside the triangle or the circle indicates deceased, does it not?

MR. RUSH: Yes. Well on my count that's 16.

THE COURT: Sixteen, sorry, I'm exaggerating.

MR. RUSH: And I think there are one, two, three of whom are deceased.

THE COURT: Yes.

MR. RUSH: I can clear that up for you.

THE COURT: Yes. I just want to make sure I'm reading the genealogy correct.

MR. RUSH: Yes, Your Honour.

THE COURT: Thank you.

EXAMINATON IN CHIEF BY MR. RUSH (cont'd):

Q Mrs. Alfred, I want to ask you about the genealogy chart again, just to review the children which you had, and I want to review those children with you so

that we are accurate about the number of children that you had. I'm just going to name some of your children. Irene?
A Yes.
Q And Andrew?
A Yes.
Q Andrew has passed on?
A Yes.
Q Henry?
A Yes, he is still alive.
Q Janet?
A Yes.
Q Darlene?
A Yes.
Q Dorothy?
A Yes.
Q Helen?
A Yes.
Q Edna?
A Yes.
Q Patsy?
A Yes.
Q Betty?
A Yes.
Q Vina?
A Yes.
Q Cecil?
A Yes.
Q Shirley?
A Yes.
Q Tina?
A She is passed on.
Q Thank you. Paul?
A He has also passed on.
Q Yes. Christine?
A Yes, she is still alive.
Q Yes. And Gina?
A Yes, she is still with us.
Q And those were all the children that you had?
A Yes.
THE COURT: About 16 I think, is it not?
MR. RUSH: Yes. And I think that the answer yesterday was related to her living children.
THE COURT: Thirteen still living?
MR. RUSH: Yes.
THE COURT: Is it 16 or 17, Mr. Plant?
MR. RUSH: My count was 16, but whatever the number it's a

formidable number.
THE COURT: It's a spectacular number.
MR. RUSH: Yes, there are 17.
MR. PLANT: I want to make sure she has full credit.
THE COURT: Indeed. And do I take it, then, that there are four deceased? I didn't --
MR. RUSH: No. It was my miscount then.
THE COURT: I see.
MR. RUSH:
Q I thought -- I thought there were 16.
There are three deceased -- three of your children have passed on, Mrs. Alfred?
A Yes.
Q And the total number of children you had was 17?
A Yes.
THE COURT: Thank you, Mr. Rush.
MR. RUSH:
Q Mrs. Alfred, who are permitted to use the territory of Wah Tah K'eght?
A It's all of our family and members are allowed to use it together.
Q Are these the members of the house?
A Yes.
Q Do you discuss with the members of your house about the use and management of the territory?
A Yes.
Q Do you tell Henry and the other members of your house where you trap and what returns you obtain?
A Yes.
Q And does Henry do the same, does he discuss it with you and Cecil and Helen and other members of your house?
A Yes. They all bring it to my place and then I prepare it for them.
Q They -- Henry and others using and harvesting the animals from your territory, bring them to your house, do they?
A Yes.
Q And you prepare it for them?
A Yes.
Q And do you store it at your house?
A Yes.
Q And how are these used by them or by you?
A Sometimes they share with me when they sell it, they give me a portion for preparing it for them.
Q Okay. Is some of the meat that they bring to you and which is stored by you, used at the feast?

A Yes.
Q And is it used by Wah Tah K'eght at the feast?
A Yes.
Q And how is it used there, what do you do with it?
A They cook it and then small portions are given to each one of the guests that's witnessing the feast.
Q Okay. And is it said where this meat comes from?
A Yes.
Q And why do you say where it comes from?
A It's because they get it off their own territory for people to eat.
Q Okay. And is this witnessed when it's announced at the feast?
A Yes.
Q Okay. I just wanted to ask one other question, Mrs. Alfred, about the discussions you have with other house members about the territory and the trapping and hunting of animals on the territory. Do you talk with the -- with Henry and Cecil and other members of your house about where -- where to set traps and where to hunt?
A Yes.
Q And are some -- is it discussed about where there are better places or not so good places or places to allow the animals to repopulate?
A Yes, they do say that.
Q Okay. Now yesterday, Mrs. Alfred, I asked you some questions about Bazil Michell, and you explained that Bazil Michell was permitted to use a portion of the western part of Wah Tah K'eght's territory. Can you tell me what part Bazil was permitted to use by Peter?
A It's from Doughty to Sde Kep.
Q Okay.
THE COURT: Doughty, D-O-U-G-H-T-Y?
MR. RUSH: I think it's D-O-W-D-Y, or am I wrong about that?
THE TRANSLATOR: D-O-U-G-H-T-Y.
THE COURT: And the other name?
MR. RUSH: Mr. Mitchell?
THE TRANSLATOR: Sde Kep?
THE INTERPRETER: Sde Kep.
THE TRANSLATOR: Sde Kep, S-D-E, K-'-U-P (sic).
MR. RUSH:
Q Okay. And do you know Sde Kep to be Porphyry Creek?
A Yes.
THE COURT: I'm sorry. Is it -- could I get a spelling of Porphyry, please?
MR. RUSH: P-O-R-P-H-R-Y, I believe.

THE COURT: Thank you.
MR. RUSH: Sorry, it's P-O-R-P-H-Y-R-Y, according to our spelling.
THE COURT: We are all experimenting with computers, Mr. Rush, and if we don't have the right spelling we won't be able to find the reference when we are looking for it.
MR. RUSH: Yes. That's the right spelling the one I just gave, I guarantee.
THE COURT: What I mean is, I think we have to have the same spelling when we are looking for something, as the transcript.
MR. RUSH:
Q Yes, I quite agree.
Now to your knowledge, Mrs. Alfred, does Bazil Michell set traps on that part of the territory that he was permitted to use?
A Yes. Very first time I was with him.
Q Okay. Now I want to ask you some questions on another subject, Mrs. Alfred. You told us that you married your late husband Peter in 1931, and after you married, did you go to Peter Alfred's territory with him?
A Yes.
Q And that was the territory of Kanoots?
A Yes.
Q Okay. And when -- after you first married, where did you go on the territory of Kanoots?
A Up in Ts'un c'os'aay where the house is, we had set traps up on -- across from there on Taaneen K'uts.
MR. RUSH: Okay. Ts'un c'os'aay, now I believe there was a word list prepared for the Lucy Bazil commission, and Ts'un c'os'aay should appear on that. But if it doesn't, I wonder, Mr. Mitchell, if you could help us.
THE TRANSLATOR: 416.
MR. RUSH: 416?
A Starts off T-S.
MR. RUSH: Can you tell me just about how many pages that is? T-S? Yes, My Lord, it's about --
THE COURT: I don't think I have that list, do I?
MR. RUSH: Yes, you should have. It's one I handed to you -- what Mr. Mitchell did was to refer to the consolidated alphabetical list of when he responded.
THE COURT: Yes, all right.
MR. RUSH: And it's about -- I would say about seven pages from the back.
THE COURT: Starts with a "T"?
MR. RUSH: Starts with a "T".

THE COURT: 461?
MR. RUSH: Yes -- 416.
THE COURT: Yes, I've got it.
MR. RUSH:
Q Ts'un c'os'aay, Mrs. Alfred, is that the area known as Buck Flats in English?
A Yes.
THE COURT: Okay. Now I think there was a second word that was referred to by Mrs. Alfred,
A It was across from Ts'un c'os'aay, Taaneen K'uts, we had traps and deadfall there.
THE TRANSLATOR: It's 435. I gave you 437 it should be 435.
MR. RUSH: 435?
THE TRANSLATOR: Yes.
MR. RUSH: Is that on the previous page?
THE TRANSLATOR: Yes.
MR. RUSH: Can you just spell that for me, please? Yes, 435, it's T-A-A-N-E-E-N, new word, K-'-U-T-S.
THE COURT: Sorry. N-E-E-N, K' --
MR. RUSH: U-T-S.
THE COURT: Thank you.
MR. RUSH:
Q What time of the year did you go to Kanoots' territory with Peter?
A Wintertime.
Q Okay. And did you set any traps or do any hunting there with him?
A Yes. We set traps and hunted.
Q Okay. And was it -- was it at Ts'un c'os'aay, is that where you set traps and hunted with Peter?
A We lived in the house at Ts'un c'os'aay and then from there we went across to set traps.
Q All right. How often did you go out to the Kanoots' territory with Peter after you got married?
A We only trap for two winters, but after that we went out there every year to trap for beaver.
Q And when you went out to trap for beaver, what time of the year did you go to do that?
A From April and May is when we used to trap for beaver.
Q And was that a time of the year when the quality of the beaver was good?
A Yes.
Q Okay. Did you take any marten on Peter Bazil's territory and Kanoots -- excuse me, Peter Alfred's territory?
A Yes, we did hunt for beaver -- I mean marten, and that is what I'm talking about when we set traps across

from that house.
Q Okay. Now whose house was that that you are talking about, Mrs. Alfred?
A It was the late Jim's place.
Q Okay. And was he living at the time you were there at the house with Peter Alfred?
A Yes.
Q Okay.
A Lucy and them all was there.
Q Is that Lucy Bazil?
A Yes.
Q And when you were going out to the Kanoots' territory to hunt or trap beaver in April and May, did you stay at Jim's house?
A Yes. When we returned after that, that was -- the house wasn't there anymore.
Q Okay. I wonder if you could produce Exhibit 99 for me. There are photographs in Exhibit 99 which I would like to refer to.
THE COURT: I take it Lucy Bazil is not Peter Bazil's relative?
MR. RUSH:
Q No. I'll explain that.
The place that you talked of, Mrs. Alfred, where it was, is that you lived when you were at Ts'un c'os'aay or Buck Flats, I want to show you a photograph which was marked as Exhibit 3 in the examination of Lucy Bazil, and if you can just look at that photograph and tell me if you recognize what's in that photograph?
A She's pointing at that house on the right-hand side with the roof showing, that's Jim's house, and the one in the left closer to you would be a stable.
Q Okay. Is the --
A Made a mistake there. The one on the right in the back is the stable and the one on the left is the house.
Q Okay. I'm just going to point this out. The roof that's on the right of the photograph, is this Jim's house?
A No, this one.
Q Okay. So it's the one on the left here, this is Jim's house?
A On the left is the house.
Q And this is where you lived when you were at Buck Flats?
A Yes.
Q And the roof on the other side is the stable?

A Yeah, it's the stable there.
MR. RUSH: All right. My Lord, this was going to be one of the exhibits, the enumerated exhibits under Exhibit 99 but it hasn't been given a letter just yet.
THE COURT: All right. Thank you.
MR. RUSH:
Q Now, Mrs. Alfred, what relationship was there between your husband Peter Alfred and Jim?
A That was his uncle.
Q Okay. And what relationship was Lucy Bazil to Jim?
A That was his daughter.
Q That was Jim's daughter?
A Yes.
Q Okay.
THE COURT: So Jim is Jim Bazil, is it?
MR. RUSH: Well, I don't think -- he doesn't have a last Christian name as I understand.
THE COURT: All right.
MR. RUSH:
Q Mrs. Alfred, did Jim, did he have a last name to your -- an English name which was a last name?
A Called him Jim Mooseskin.
Q They called him Jim Mooseskin; is that right?
A Yes.
Q Okay. And did Jim have a Wet'suwet'en chief name?
A I don't know Jim's Wet'suwet'en name, but Jim's mother was Wisalop before that.
Q Jim's mother was Wisalop?
A Yes.
Q Okay. Now when you were at the territory staying at Jim's house, was Lucy there staying with you at the same time, that is Lucy Bazil?
A Yes. The whole family was there, Peter, Jim and his mother.
Q Thank you. Do you still -- do you still go out to Kanoots' territory at Buck Flats?
A We haven't been out there for about -- for two years now, since -- since Peter got sick.
Q Okay. Up until two years ago, did you go out every year with Peter?
A Yes. Sometimes George would come with us.
Q Okay. Did sometimes other members of your house go with you or your family?
A Sometimes Henry went with us.
Q Okay.
A Also Helen. While -- while Peter was sick, me and Helen done the trapping for him.

Q Okay. Now, do you remember what part of Kanoots' territory was that you did the trapping?
A Up towards Neen lii.
Q Neen lii?
A From the cabin on up to Neen lii.
Q Okay.
THE TRANSLATOR: 153.
MR. RUSH:
Q 153. We've, I think, had Neen lii before, My Lord. And you've been to Neen lii, have you, Mrs. Alfred?
A Yes.
Q Is that a point where there is a boundary of Kanoots' territory?
A Yes.
Q And is that the boundary with Namox?
A Yes.
Q Now, Mrs. Alfred, do you know of Morice Mountain or Dzel teel?
A Yes.
Q And is -- is that on the boundary between Kanoots/Madeek -- Kanoots/Madeek and Gisdaywa?
A Can you rephrase that?
Q Is the -- is Morice Mountain or Dzel teel, is that on the boundary between Gisdaywa and Kanoots?
A Yes.
Q Okay. Is part of it in Gisdaywa or part of it in -- and part of it in Kanoots?
A Yes, that's right.
Q Okay. And I wanted to ask you, Mrs. Alfred, if you know a creek or a stream called Wid'uk ts'anlii? 421, My Lord, it's about three pages from the back.
THE COURT: Yes.
A I don't know that creek because I didn't learn all of the territory in some places.
MR. RUSH:
Q Okay. Have you heard of that creek?
A He didn't tell me about that one.
Q Okay. I would like to, if I may, have the Exhibit 99 file back again. I want to show you another photograph from the commission file of Lucy Bazil, and it's in that file marked Exhibit 5. I wonder if you can recognize the two people in that photograph?
A She's pointing at the one on the left is George Naziel, and the one on the right as Peter Jim. At that time there was three of them went out and they were taking pictures of one another.

Q Okay. Do you know the other person that was out there?
A The third person was Peter.
Q Peter Alfred?
A Yes.
Q Okay. So that -- where is this located, Mrs. Alfred?
A That's Neen lii.
Q Thank you.
THE COURT: Mr. Rush, the witness mentioned a moment ago that the one on the right is Peter Jim.
MR. RUSH: Yes.
THE COURT: Now, is that the same person that had the house at Buck Flats that we had formally been calling Jim?
MR. RUSH: No, that is not.
THE COURT: That's someone else..
MR. RUSH: No, that's someone else.
THE COURT: All right.
MR. RUSH: And you'll hear about Peter Jim in due course. No, the other --
THE COURT: The other person is just Jim?
MR. RUSH: Jim, but he has been called Jim Mooseskin.
THE COURT: Yes, all right.
MR. RUSH:
Q And Mrs. Alfred, you know the -- you know that Buck Creek is known as Neeldzii kwe?
A Yes. Comes from there.
Q Now, any there any -- Mrs. Alfred, are there any sawmills out in Kanoots' territory that you know of?
A There was three sawmills up there at the foot of Dzel teel, that's up from K'en Kia.
Q Have you seen them there?
A Yes. They are still there yet, I believe.
Q Okay. And did you say where they were located?
A Yes.
Q Where are they located?
A It's at the foot of Dzel teel and above K'en Kia. That lake has been drained now and I don't think it's there anymore.
THE TRANSLATOR: 425, K'en Kia.
THE COURT: Sorry?
THE TRANSLATOR: 425.
THE COURT: Which one is that, please?
THE TRANSLATOR: K'en Kia ben.
THE COURT: That's not where she says where the mountains are.
MR. RUSH: Is the -- can you just give us the name of the place that's been drained again, please?
A The lake -- I forget the name where the lake that's

1 been drained, but it's above K'en Kia.
2 MR. RUSH: K'en Kia, could you spell that for us, please?
3 THE TRANSLATOR: K'en Kia, K-'-E-N, K-I-A.
4 THE COURT: K-E-N?
5 THE TRANSLATOR: K-'-E-N, K-I-A.
6 THE COURT: There was another place that she first described as
7 the location of the sawmills.
8 MR. RUSH: Yes. That was -- she said Dzel teel which is Morice
9 Mountain.
10 THE COURT: Oh.
11 MR. RUSH: She had given that to us a little earlier.
12 THE COURT: Yes, all right.
13 MR. RUSH:
14 Q And that's 183. Now Mrs. Alfred, when you were --
15 when you were out on Kanoots' territory, did you
16 observe any clear-cut logging happening there?
17 A It's all clear-cut but it never used to be like that
18 before, where we -- where we hunted. It was all
19 timber then.
20 Q Okay. Are there any farms on the territory that you
21 know of?
22 A Yes, I knew some of the people that were there earlier
23 years. There was the one I knew were Hayes, Swanson,
24 but they couldn't make a go of it there, so they moved
25 out and then now it's populated again.
26 Q Populated?
27 A But the people there I don't know anymore now.
28 Q Are these people who are non-Wet'suwet'en people?
29 A No. It's white people.
30 Q Okay.
31 A There is power going into the area also now.
32 Q Have there been roads placed in the area and bridges
33 built?
34 A Yes. It almost looks like a highway now.
35 Q Okay. And are there places which you -- when you were
36 out there with Peter, are there places that you were
37 prevented from going to that you used to be able to go
38 to, to hunt, to trap and to use the territory?
39 A Yes.
40 Q Okay. And can you tell us what stops you from going
41 there now?
42 A There is far too many people up there and they have
43 "No Trespassing" signs posted all over.
44 Q You mentioned that there was a time when the house
45 that you had lived in was taken down, that you came
46 back a year or so later and that that house was taken
47 down. And were you present when Peter talked to

1 somebody about that, Peter Alfred talked to someone
2 about it?
3 A Yes.
4 Q What happened?
5 A There was a heavy argument but he didn't touch him.
6 They argued and I didn't understand what they were
7 saying, enough. And after the argument the white man
8 just picked up his axe and he went back across.
9 Q And did you understand what the argument was about?
10 A He was arguing with him because this man was
11 dismantling that house.
12 Q Is this the house you had lived in, Jim's house?
13 A Yes.
14 Q Did you know why he was dismantling it?
15 A I didn't know why he was dismantling it, but he may
16 have been after the nails and lumber from the
17 building.
18 Q Do you know that man's name that Peter Alfred had the
19 argument with?
20 A No.
21 Q Did you see him out on that territory at any other
22 time after that argument?
23 A He lives right in around the area there. He has a lot
24 of children now.
25 Q Did he have a house, did he build a house?
26 A Yes. He built a house and has a big farm there now.
27 Q Did he put up a fence?
28 A Yes.
29 THE COURT: Is there any difficulty in determining approximately
30 when this was?
31 MR. RUSH: I'll ask, yes.
32 THE COURT: All right.
33 MR. RUSH:
34 Q Mrs. Alfred, can you tell us about when this happened,
35 either by your memory of the year or by the age of
36 your children?
37 A Janet was just a young girl then, it was her first
38 trip out there with us at that time.
39 Q Do you remember how old Janet was at the time, about
40 how many years?
41 A She may have been close to 14.
42 Q She was close to 14?
43 A Yes.
44 Q Yes. And Mrs. Alfred, the -- the genealogy chart
45 shows that Janet was born in December of 1937; is that
46 right?
47 A Yes.

Q All right.
THE COURT: Where do you get that date from, Mr. Rush, from the genealogy?
MR. RUSH: If you look on the genealogy under Janet.
THE COURT: I found Janet.
MR. RUSH: And then there is 4/12/37 below that.
THE COURT: Not on my copy.
MR. RUSH: Should be.
THE COURT: I'll show it to you, Mr. Rush.
MR. RUSH: Oh yes. You are on the wrong page, My Lord, it's back on page 9. You were looking, I think, at one of the married -- a daughter-in-law. And you see Janet on the right-hand side of the page, Janet Alfred.
THE COURT: Oh yes, oh yes, right. Well who's the other Janet, then, I was looking at.
MR. RUSH: The other Janet I think you had on page 11 was a Janet who was married to Cecil.
THE COURT: Oh yes, yes. Yes, I have it, thank you.
MR. RUSH:
Q Mrs. Alfred, do you intend to go back to Kanoots' territory to obtain some beaver meat for the Head Stone Feast for Peter?
A One of the children may go out there to -- for the last time to get beaver for the feast, and probably go out there with the permission of -- from Freddie.
Q And that's -- what's Freddie's last name?
A Freddie Joseph.
Q And he's from the house of Madeek?
A Yes.
Q Okay. There is one other question about the Kanoots' territory, Mrs. Alfred. Do you -- did you use the territory after Jim passed on?
A Yes.
Q Okay. Now, when you were setting traps for beaver in April and May on Kanoots' territory, did you also in the same year trap and hunt on Wah Tah K'eght's territory?
A Yes. We hunted there in the winter months and come towards summer we went out to -- to the father's territory.
Q Okay. That's -- you hunted on Wah Tah K'eght's territory over the winter months, and come summer you went to Kanoots' territory; is that right?
A Yes. We went to Kanoots' territory to hunt for beaver and we didn't go every year.
Q How often did you go?
A So we would leave it alone for one year so the beaver

population would multiply and then we would go back there the second year.

Q So you would go to Kanoots' territory every two years?

A Yes.

Q And you -- at the same time, did you go to Wah Tah K'eght's territory to hunt and trap?

A Yes.

Q All right. Now Mrs. Alfred, has there -- I want to ask you about the present condition of Wah Tah K'eght's territory. Has there been logging on Wah Tah K'eght's territory?

A It has all been clear-cut, there is only few strips of timber left. That's where we trap now, but we don't catch much of anything.

Q And has there been, to your knowledge, has there been mining on your territory?

A There's a small mine right on the boundary of Caspit and ours at K'aaz Kwe.

Q At K'aaz Kwe?

THE TRANSLATOR: 368.

THE COURT: Sorry?

MR. RUSH:

Q 368, and Caspit is as you know, My Lord, 147. K'aaz Kwe is spelt K-'-A-A-Z, new word, K-W-E.

I think you told us that there was some farming on Wah Tah K'eght's territory. Mrs. Alfred, are there places where you used to set your traps for the harvesting of the animals, where you can't go now because of the farms?

A Yes. It is like that, because there is one farmer he don't like we trapping in there at all.

Q Who's that?

A Swanson.

Q Did he do something with your traps?

A Yes. When we were first hunting for beaver, I had set traps for beaver, he took them out and he left them at a spot where I used to -- I used to come in, and he left them all piled up there.

Q Okay. When did that happen?

A It's been about two years now.

Q Do you go back there anymore?

A I haven't gone back there since.

Q Okay. Are you able to say about where it was on Wah Tah K'eght's territory where you had set the traps and where the traps had been taken out by Swanson?

A I forget the name of the creek. It's up towards a place by the name of Widinat'ay.

MR. RUSH: Widinat'ay?
A Yes.
THE TRANSLATOR: 402.
A All that area has been cleared now.
MR. RUSH:
Q The area around Widinat'ay?
A Yes.
MR. RUSH: That's 402, it's about the third page from the back.
THE COURT: Yes, thank you.
MR. RUSH:
Q Mrs. Alfred, did you give permission on behalf of Wah Tah K'eght for the farmers to farm on your land?
A No.
Q Do you know if any of your ancestors or the present Wah Tah K'eght has given such permission?
A No.
Q And was permission given by you or the present Wah Tah K'eght, to your knowledge, for the logging or the mining which has occurred on your territory?
A No.
Q Now I'm going to ask you about -- just change the subject of my questions, Mrs. Alfred. I want to ask you if there is a spiritual connection which you have with your territory?
A Yes.
Q Can you explain how you have that spiritual connection?
A We take care of the land and respect it as well as the animals. You don't use one area over and over again and deplete one area, you always take care of the -- and go to another area.
Q Does that apply to your fishing as well?
A Yes.
Q And when you say that you respect the land, do you also respect the fish in the same way?
A Yes.
Q Can you tell -- can you tell His Lordship how you respect the animals and the fish?
A When you're handling, you always take care of the -- take care and handle them properly. And when you're handling fish, you always put down a bed of leaves and you always take care of the handling. You make sure you don't mishandle them at all at any time.
Q What -- is there anything that could happen if you do mishandle them?
A Long time ago it was said that if the fish when they come back, they would say, "This person here

mishandled me, so I won't go to him," and that is why they take care to handle them properly.

Q Is that why you take care to handle them properly today?

A Yes. The Indians still practice that today.

Q What you've told us about the handling of salmon or fish, was this something that was told to you by your parents and your ancestors?

A Yes.

THE COURT: Is this a convenient time, Mr. Rush?

MR. RUSH: Yes, it can be.

THE COURT: All right. Thank you.

THE REGISTRAR: Order in court. Court stands adjourned for a brief recess.

(PROCEEDINGS ADJOURNED AT 11:15 a.m.)

I hereby certify the foregoing to be a true and accurate transcript of the proceedings herein transcribed to the best of my skill and ability.

Toni Kerekes,
O.R., R.P.R.
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MADELINE ALFRED, Continued:

EXAMINATION IN CHIEF BY MR. RUSH:
THE COURT: Mr. Rush?
MR. RUSH: Thank you.
Q Mrs. Alfred, you were telling us about the spiritual relationship that you had with the land and the respect you had for the land. When you were on your territory, did you communicate with your ancestors?
A Our ancestors who have passed on before us, when we are out on the territory they try to communicate with us. When you hear a whistling noises from the fire and then we immediately take a piece of smoked salmon or something, and we throw it in the fire. This whistling noise is our ancestors' way of trying to get our attention. And they asking for something. And that is why we do that.
Q Now, you talked of the respect you have for the fish. Did you fish for fish at Moricetown?
A Yes, I have fished myself. We used to gaff at a place called Ts'ak'uk'et.
Q Ts'ak'uk'et?
THE TRANSLATOR: 503 on the new list.
MR. RUSH: My lord, I have had a new list prepared, which is in numerical order, and this I think will help you. We are trying to update the list on an ongoing basis so that you will be accumulating numbers to this list.
THE COURT: Yes.
MR. RUSH: I just wanted to tell you one feature about the list, it shows a number of words with a line in an open space and you will see it here. The computer was unable to place the line under the L and these are in the Wet'suwet'en --
THE COURT: So the underlining has been added?
MR. RUSH: The line should appear under the L where it appears under the space.
THE COURT: Is there any letter accepted now that has underlining?
THE TRANSLATOR: There is Xs.
THE COURT: Thank you.
MR. RUSH:
Q Did you fish for your family and your mother when you were fishing at Ts'ak'uk'et?
A The time when I was fishing, I didn't have any children but I was fishing for my uncle and my mother and there was another lady by the name of Suzanne, we were fishing.

Q And this was at the Ts'ak'uk'et fish site?
A Yes.
Q All right. I am going to show some photographs to Mrs. Alfred and I wonder if I could first have the photograph at tab 6 placed before Mrs. Alfred.
I am sorry, excuse me. I meant to say tab 4, please. I want to begin at tab 4.
THE COURT: Of the book you gave me yesterday?
MR. RUSH: Yes, that's correct. This is photograph number 3250 in tab 4 of the booklet.
Q I want to show you some photographs, Mrs. Alfred, and the first is a photograph in tab 4. And I wonder if you recognize what is in this photograph? What is shown here?
A It is shown, she is pointing where you see a person standing there with a pole, and that area is where Ts'ak'uk'et is.
Q Ts'ak'uk'et area where the pole is? The man with the pole; is that right?
A Yes, that is where they gaffed.
Q Okay. And that is where you fished, is it?
A Yes. Just any -- it's a common site for women.
Q Women fished here? Why did women fish here?
A That site there was used all together with men and children also, because of -- the water was not so swift there.
Q Was it easier for women to catch fish at that site?
A Yes.
Q All right. Are there other fish sites in this photograph that you know?
A Yes, I know --
Q I want to ask you first, above or to the left of the figures that are in the photograph that you have identified as Ts'ak'uk'et. Is there a fish site that you know of above that?
A Just at the small falls there. She is pointing at the small falls there above where she identified Ts'ak'uk'et, that is where Wah Tah Kwets had a fish trap.
Q That is Wah Tah Kwets, is that Wah Tah Kwet or Wah Tah Kwets?
A That is Wah Tah Kwets.
Q Okay. That's W-a-h, T-a-h, K-w-e-t-s, 69.
Now, do you know the name of that fish site?
A No, I don't know the name of that but them two sites are the same.
Q You said two sites, Mrs. Alfred, you pointed to one at

the place where the falls is located. Is there another site in there that you didn't mention?

A Yes, that's only one site where the falls is.

Q There is one site where the falls is?

A Yes.

Q I wonder, my lord, I am going to -- I think it might be easiest if I marked these sites as she refers to them beginning with A, B, C.

THE COURT: She has only marked two, I think, or identified two.

MR. RUSH: Yes, I am going to carry on. She is going to mark others.

Q Mrs. Alfred, if you would point to Ts'ak'uk'et on this photograph, and I am going to place an A where you point to. Would you just show me where --

A All right.

Q I am going to put an A there.

Now, the site that you said was at the little falls, would you just show me that, that you said belonged to Wah tah Kwets?

I have marked that B. Now, Mrs. Alfred, were there any other sites upstream or up river from the place where I have marked B that you know?

A Up from there, there is Wah Tah K'eght's fish site that we call Taas Taan.

Q That's upstream is it, is it shown on this photograph?

A That's, again -- it's not on the photo.

Q Okay. Now, I am going to ask you if we can go downstream from where we have marked at A --

THE COURT: Sorry, I didn't get the name of the further one upstream?

MR. RUSH: She didn't give it. Yes, she did. Sorry, Taas Taan.

THE COURT: Thank you.

MR. RUSH:

Q All right, Mrs. Alfred, coming downstream from where the letter A is located, is there any fish site that you know of below that?

A This one, she is pointing at this one here is Ooyuk'een, that's Namox's fish site.

Q I am going to put a C here and, my lord, I have marked a C at a large rock in the lower right hand corner of the photograph.

THE COURT: The number of that?

THE TRANSLATOR: 502.

THE COURT: Thank you.

MR. RUSH:

Q Now, are there any other fish sites that you know of between where we have marked the A and the place where

we have marked the site Ooyuk'een of Namox that you know of?

A This one here -- when the river is high, and the stream coming down here, and the eel go in there. That's what they call Ts'el K'ai'K'et.

Q Would you just point where Ts'el K'ai'K'et is where the eel goes?

I am going to put a D there. Mrs. Alfred, does this photograph show the water to be low?

A Yes.

Q Okay. And the place that you mentioned where the eel went in was at high water?

A Yes.

Q And it's -- there appears to be a fisher, if I can put it that way, in the photograph just above where the rock is marked C, my lord. And that's the place where that she pointed to.

THE COURT: I didn't get a name for D?

MR. RUSH: Ts'el K'ai'K'et I think was the name.

THE COURT: Mr. Rush, can the witness tell me, this is a part of the gorge at Moricetown, isn't it?

MR. RUSH: Yes, I am just going to ask the witness about that.

Q The sites that you have just identified, Mrs. Afred, these are on the village side of the Moricetown canyon?

A Yes.

Q And these are upstream from where the bridge is presently located today?

A Yes, that's upstream from the bridge.

Q And does this photograph show the way the Moricetown canyon looked prior to the building of the fish ladder?

A Yes. This was a long time ago.

Q Okay. All right. Now, I want to ask you about whether on the other side of the waterfalls, that is shown running through the middle of the photograph, if there are other sites that you know of on the left hand side of the photograph?

A The Alfred clan, Gitdumden, have a site here where there is a little whirlpool and there is a fishing site there. I forgot the name to that.

Q Is this the place you mean here?

A Yes.

MR. RUSH: All right. I am going to mark an E there. And that, my lord, is in the -- about just to the right of centre in the lower quadrant of the photograph.

Q That's Gitdumden you say?

A Yes.
Q Mrs. Alfred, are there any other fish sites that you know of that are shown in this photograph?
A Yes, that's the only sites that I know there besides where they set the fish traps. This is part of that rock where Wah tah Kwets -- you can't see it on there but that's part of that rock that goes to Wah tah Kwets' site.
Q This is part of the rock that -- part of the rock is up that way?
A Yes.
Q I have another photograph which I am going to show you which I might be able to show where that is more accurately. All right.
I wonder if this can be marked as an exhibit, please.
THE REGISTRAR: Exhibit 121.

(EXHIBIT 121: PHOTOGRAPH)

MR. RUSH: Now, I don't want to put that away, I have another question to ask.
Q Mrs. Alfred, are these fish sites which you have identified in this photograph, Exhibit 121, are these fish sites still present in this form in the Moricetown canyon today?
A No, them sites I identified along -- are not there. There is a fish ladder there now, except for the Gitdumden site.
MR. RUSH: The Gitdumden site was marked D on the photograph.
THE COURT: Thank you.
MR. RUSH:
Q Mrs. Alfred, I am going to show you another photograph, this is taken from tab 5 of the document book, if that could be placed in front of Mrs. Alfred.
Now, Mrs. Alfred, do you recognize what is shown in this photograph, tab 5 of the book?
A Yes, I recognize that, and that is Wah tah Kwets fish trap there.
Q Who held Wah tah Kwets at the time the fish trap was there?
A Louis Tommy.
Q The fish trap is the device that's in the middle of the photograph, is this what I am pointing to?
A The way that fish trap is right now, it's been taken out and you can see the fish is taken out and after a while they are going to put it back down again.

Q I am just going to put a T on the fish trap. If I put a T here, is that where the fish trap is?
A Yes, that's the fish trap.
Q And is this Louis Tommy's fish site?
A Yes, that's -- that belongs to that clan.
Q Over here on the left-hand side it would appear to be fish hanging, is that what I see?
A That fish you see hanging there is being dried off before it goes to the smoke house.
Q All right. Now, Mrs. Alfred, does this photograph show high water or low water?
A That's high water there.
Q Okay. Now, can you --
A It's about halfway down.
Q What do you mean halfway?
A This is -- the water condition there is halfway between low water and high water.
Q Okay. Do you see any other fish sites in this photograph?
A This photo is the same as that other photo you showed us, fishing sites.
Q Can you just show me one -- do you see another fish site that you recognize in this photograph?
A You can only see Ooyuk'een.
Q Just point your finger on Ooyuk'een. This is it here?
A There is a little flat rock there.
Q Does that begin with an O or a U?
A O.
Q If I put an O here, would that be the right place, Mrs. Alfred?
A Yes. And when -- when you go from Ooyuk'een in, that's Ts'el K'ai'k'et.
Q When you say in, do you mean away from the O that's on the photograph to the left?
A It's more to the left and lower, that's Ts'el K'ai'k'et.
Q You can't see it directly on this photograph?
A No. It shows up on that photo that you showed us previously.
Q Okay. Now, is Ooyuk'een, you said that was Namox, is it?
A Yes.
Q And that's Tsayu clan?
A Yes.
Q Was this photograph taken before the fish ladder was built at the canyon?
A It's long before that.

Q And is the site that you see here and the rocks that are shown in this photograph, are they in place at the Moricetown canyon today?
A All these fish sites, the only one left is Gitdumden's site and the rest have all been destroyed by fish ladder.
Q This fish trap that is shown here, Mrs. Alfred, did you see the fishing done with that fish trap?
A Yes.
Q Was that an effective way of fishing?
A Yes.
Q And this -- these branches or poles, were those erected by fisherpeople from Moricetown?
A The fish, the person that owns that site is the one that erects all that, like poles you see is there so as when the trap is set, all the fish will go into the trap, and the poles are there to protect the fish from bypassing the trap.
Q Now, to the right of the photograph is downstream and to the left is upstream? The first question, one is to the right, this way, that is downstream?
A Yes, that's -- on the right is downstream and on the left is the stream coming down.
Q And if we were to go in the upper right hand -- excuse me, upper left hand corner, would this be the place of the village site of Moricetown?
A On the upper left hand corner is where all the smoke houses are and further up the hill is where the village of Moricetown is.
MR. RUSH: All right. I would like that marked as the next exhibit.

(EXHIBIT 122: PHOTOGRAPH)

THE COURT: May I see that? Yes, thank you.
MR. RUSH: I would like now to place the photograph that's in tab 6 before Mrs. Alfred. This is numbered 7790.
Q Mrs. Alfred, do you recognize this as being in the Moricetown canyon?
A Yes. We should say, she is pointing at where you see the man with the gaff pole and fish, that is the Gitdumden fishing site and where you see this on the lower right hand corner the stream coming down, that is -- that's where that fish trap is.
Q I first want to ask you, if I place my finger here, is this the place where the Gitdumden fishing site is?
A Yes.

Q I am going to place a G there, is that the right place for the G?
A Yes.
Q All right. Now, you -- perhaps you could just translate that.
A She is pointing at the rock at the middle, upper middle rocks jutting out is where Wah tah K'eght's site is, past that, just over the edge.
Q Is it here? I am pointing to a rock just to the right of the centre, upper centre of the photograph, is this Taas Taan? If I put a T here --
A Taas taan, yes.
Q And that belongs to your house?
A Yes.
THE COURT: What number is Taas Taan, please?
THE TRANSLATOR: 501.
THE COURT: Thank you.
MR. RUSH:
Q Now, you mentioned that there was, in what appears to be the water or the boiling water to the right of the figure in the photograph, in the bottom right hand corner, that that's where a trap was?
A Yes.
Q And whose trap was that?
A You were just looking at it, that's Wah tah Kwets' fish trap.
Q Is it shown here or is it actually off the photograph?
A No, it doesn't show on there.
MR. PLANT: When the witness said we were just shown it, was she referring to Exhibit 122?
MR. RUSH:
Q When you made reference to the photograph about the one that you were just shown, is that the photograph we just showed you a moment ago, the previous photograph?
A Yes.
MR. RUSH: That's 122.
Q Now, Mrs. Alfred, you indicated that the place where the man is standing with the gaff pole is a Gitdumden site. Do you know which of the chiefs of Gitdumden use that site?
A That belongs to the house, the one that is Alfreds'.
Q All right. Now, are there any other fish sites that are shown in this photograph?
A I only see two on there now. Isn't on there)
Q I would just like to direct you across the, what appears to be across the river away from the T to the

left-hand side of the photograph, the upper left hand side. Do you recognize any places in that area?

A There was a fish trap, a place for a fish trap there, which belonged to Margaret's late father. It's Laksamshu's site.

Q Can you just put your finger on the photograph where the Laksamshu site is?

A In here is the fish, site for fish site which belong to Laksamshu, and there is a gaffing site down here which belongs to Laksamshu also, which is called C'itiltl'uk.

A And further down, you can't see it on the photo, further down from C'itiltl'uk is Kweese's fishing site.

Q Okay. Let's return to the photograph, C'itiltl'uk, that is a Laksamshu site?

A Yes. Also had a fish trap there too.

Q C'itiltl'uk, is that where my finger is located?

A There was a fish site there a long time ago. They didn't use gaff but they used a fish trap.

Q All right. Can you give us the spelling, please, of C'itltl'uk'?

THE TRANSLATOR: C'-i-t-l-t-l'u-k'.

MR. RUSH:

Q If I put a C right here, is that the place where C'itltl'uk' is?

A Yes.

Q All right. Now, you said that there was also a Laksamshu fish traps site and you pointed upriver from where the C is located and you pointed in this area here.

A That's -- she is pointing at right here is where the fish trap is.

Q Is it here or here?

A Where you see that little stream coming down.

Q Thinks where my finger is now?

A Yes.

Q That's a Laksamshu fish trap site?

A Yes.

Q I am going to put an L there in that place.

A They were almost both in the same, almost the same place. C'itiltl'uk' and that fish trap.

Q You also said, Mrs. Alfred, off the photograph, that you can't see and downstream, there was another fish site that I think you said belonged to Kweese?

A It's downstream from there would be Kweese fish site.

Q Do you know the name of that fish site of Kweese?

A The site is Dee g'iit K'et.
Q The Kweese site is Dee g'iit K'et?
A Yes, that's, Kweese's site is Dee g'iit K'et.
MR. RUSH: Do you have that, Mr. Mitchell? Is that on our list?
THE TRANSLATOR: 441.
THE COURT: I didn't get the one that starts with an L?
MR. RUSH: It was identified as a Laksamshu site and Laksamshu is 133. It's one of the clans.
THE COURT: That's good enough.
MR. RUSH:
Q Mrs. Alfred, still looking at that photograph, the place where the Laksamshu fish trap was located, is that a place that you know was owned by a particular chief or that was used by a particular chief?
A That was Guusdedeeluk', the present holder of that name is Augustine Morris and Margaret's father held that name before.
Q Guusdedeeluk'?
A Guusdedeeluk'.
MR. RUSH: I don't think that's on our list.
THE TRANSLATOR: G-u-u-s-d-e-d-e-e-l-u-k'.
MR. RUSH:
Q Now, does this photograph show the way the canyon looked before the fish ladder was built?
A Yes.
Q And the fish site that's identified is identified as T, Taas Taan K'et, is that rock still there today?
A Yes. There is only four different sites on there now that you can use, the ones that is showing on the picture is pointing at --
Q Where the G is located, is that -- can you use that site?
A Yes, they are still using that site. And across the river is C'itiltl'uk', the only place left.
Q Across the river the first one was which?
A C'itiltl'uk'.
Q Now, where is that on this photo?
A Right at the end where the fish ladder is now. The rock jutting out here, that's C'itiltl'uk'. It's all been blasted out.
Q That's where the C is on this photograph?
A Yes.
Q Mrs. Alfred, where the figure is standing in the photograph, that is the Moricetown village side of the canyon?
A Yes.
MR. RUSH: Can this be the next exhibit, please?

THE COURT: Yes, 123.

(EXHIBIT 123: PHOTOGRAPH)

THE COURT: I think we will adjourn for lunch now, Mr. Rush. I just wanted to mark the photograph before we put it away.

(Proceedings adjourned for lunch)

I hereby certify the foregoing to be a true and accurate transcript of the proceedings herein to the best of my skill and ability.

Wilf Roy
Official Reporter

(PROCEEDINGS RECONVENED AT 2:00 p.m.)

THE REGISTRAR: Order in court. Recalling Delgamuukw against Her Majesty the Queen.

MR. RUSH:

Q I would like to show Mrs. Alfred, please, the photograph that's at tab 7. Showing you another photograph, Mrs. Alfred, of the Moricetown Canyon, tab 7 of the book. Do you recognize this as a photograph that shows the Moricetown Canyon before the fish ladder was built?

A Yes, that was before.

Q And there are some houses up on the -- or structures on the left-hand side, upper left-hand side of the photograph. Do you recognize any of those?

A Yes. That's Kweese's house. There is storage cash right out front here.

Q Storage cash right out front of one of the houses?

A That's where they store their smoke salmon in the wintertime.

Q All right. Are these -- are these houses, are they across the river from the village site of Moricetown?

A Yes.

Q All right.

A It's across.

Q In the centre of the photograph there appears to be a structure which looks like the fish trap you showed me earlier. Do you know if that is positioned at a fish site owned by one of the chiefs of the Wet'suwet'en?

A She's pointing at a fish trap site.

Q All right. And can you tell us who owns that or the name of the site?

THE COURT: Well are there not two fish trap sites there -- two traps, rather?

MR. RUSH:

Q Yes.

A There was Margaret's father's fish trap.

Q Okay. Which one are you pointing to, Mrs. Alfred? The upper of the two, My Lord.

A That's a fish trap there.

Q That's a fish trap. And you said it was Margaret's father?

A That was -- that's where he had his trap set.

Q And what clan was that?

A Laksamshu.

Q Laksamshu. And what is Margaret's father's Wet'suwet'en chief's name, if you know?

A I always forget. That's the one -- the name that Augustine holds.
Q All right. But the upper one here, this -- this is Laksamshu, is it?
A Yes.
Q All right. And do you know the name of that fish site?
A C'itil tl'uk. That's both, of where they gaff and that fish trap site are of -- they both have the same name.
Q Okay. So there is a trap site there and a gaff site there?
A Yes.
Q All right. Now there appears to be here another trap, the lower trap I'm now pointing to, and perhaps just before we go onto that, Mrs. Alfred, if I put an "L" beside the top fish traps representing Luksamshu, would I be right here if I put the "L" there?
A Yes.
Q Thank you. Now, there would -- there is what appears to be a fish trap here. Do you know, is that a chief's fishing site?
A That structure you see there is just a place for when they catch the fish, a place to put the fish in.
Q I see.
A But there is -- there is a platform behind that where they actually do the fishing.
Q Whose site is where that platform is?
A That's Kweese's site.
Q And could you just put your finger on Kweese's site?
A Here.
Q Okay. And she pointed to the -- what Your Lordship identified as the lower of the two fish baskets. And if I put a "K" right here, would I be right, right beside this structure? All right if I put a "K" here?
A That's the site.
Q All right. Now Mrs. Alfred, are you able to identify any of the other fish sites in this photograph on the left-hand side, that is the side that's across from the village site of Moricetown?
A Where she is pointing at they call Wa'azdiizaas.
Q Now you are pointing here where my pen is?
A Yes.
Q And that site is called Wa'azdiizaas?
A Wa'azdiizaas, yes.
Q Right here? Yes, all right, I'll put a "W" there. Could you give us a spelling, Mr. Mitchell?

THE TRANSLATOR: 208. No, I'm sorry -- yeah, it is 208.
MR. RUSH:
Q Just a moment. Okay. And Mrs. Alfred, do you know who owns Wa'azdiizaas?
A I just know the name. It could be Gitdumden.
Q It's Gitdumden, is it?
A No. It's below that is Gitdumden.
Q Do you know who owns Wa'azdiizaas?
A I don't know who owns it, but I just know the place and the name for it.
Q Okay, all right. Now, you identified the Kweese site, and you put a "K" there -- or I put a "K" there, and do you know the name of the Kweese site?
A It's Deeg'iit K'et.
MR. RUSH: Deeg'iit K'et. Now I think that reference was made to that this morning.
THE TRANSLATOR: 441.
MR. RUSH:
Q Thank you very much.
Now, Mrs. Alfred, did you -- are you able to say if there are any other sites below where you -- where I put the "W" on this photograph, are there any others that are lower -- that are down river that you know?
A There's -- there's sort of an alleyway or a crevice in the rock there, there is like a hole in there, that's Ts'waa Ket.
Q Ts'waa Ket?
A Ts'waa Ket.
Q Okay. Is that -- you are pointing right here, are you? And the crevice goes back into the shore?
A Yes.
THE TRANSLATOR: 442.
MR. RUSH: And could you just spell that for me?
THE TRANSLATOR: T-S-'-W-A-A, K-E-T.
MR. RUSH:
Q Okay. If I -- if I put a "T" here, Mrs. Alfred, would I be putting it in the right spot?
A Yes.
Q Okay, all right. Now, do you know who owns this site that you've just identified for us?
A That's Gitdumden's site.
Q Okay. Now, are there any other sites that you know that are farther down from that Gitdumden site you just identified, on that side of the river?
A This one down below here, I think is one they call Tsaantatl'eet.
Q And where would that be?

A Where she's pointing at -- where that rock is jutting out into the river.
Q Okay. And you think that's called Tsaantatl'eet?
A I think that's what they call it.
Q Okay.
A I'm pointing across -- pointing across the river, it's the Jonas (ph) site.
MR. RUSH: I don't think we have a spelling for that, do we, Mr. Mitchell, Tsaantatl'eet.
THE TRANSLATOR: Tsaantatl'eet, T-S-A-A-N-T-A-T-L-'-E-E-T.
MR. RUSH:
Q Okay. Now if I put a "TS" where that is, is that -- okay, if I put a "TS" here, would that be right?
A Yes.
Q All right. Do you know who owns that site, Mrs. Alfred?
A I don't know who would own that.
Q Okay, all right. I would like -- Mrs. Alfred, was this photograph a scene of the Moricetown Canyon prior to the blasting for the fish ladder there?
A Yes.
MR. RUSH: All right. May this be marked as the next exhibit, please.
THE REGISTRAR: Exhibit 124.

(EXHIBIT 124 - Photograph)

THE COURT: Just a moment, please. Thank you. I can't resist the curiosity to know whether that is a line of some kind running down the middle of the falls and into the gorge, or if that's a scratch on the photograph. It almost looks like a line of a fishing net.
MR. RUSH: I couldn't advise you about that, but I could ask the witness.
THE COURT: Yes.
MR. RUSH:
Q Mrs. Alfred, you see here right down the middle of the photograph is a -- what appears to be a line. Do you know what that line is?
A That's -- it's a deep waterway there and water is swift. There is no way anybody could set a net there at all so I don't know what it is.
MR. RUSH: Okay.
THE COURT: All right, I'm sure you are right.
MR. RUSH:
Q Now I want to show you, Mrs. Alfred, the next photograph in tab 8 which is 3273. Do you recognize

this site at the Moricetown Canyon?
A It's on the other side of the river and that site you see is C'itil tl'uk, where you see the man fishing.
Q That's where the man is fishing is C'itil tl'uk; is that right?
A Yes.
Q That's the Laksamshu site you identified for us?
A Yes.
Q And this is on the side opposite from the village site of Moricetown?
A Yes, it's right across the river. Below that was fishing site.
Q Mrs. Alfred, was this photograph taken after the fish ladder was built?
A That fish ladder -- this picture is taken after the fish ladder, and the man fishing there is fishing right at the end of that fish ladder.
Q Right. And do you see if you look to the right of the upper right portion of the photograph, do you see a section of the fish ladder?
A Yes, that's it where you can see where it starts and goes up on top of the -- top end of the picture.
Q Right. The person that is using that long pole at the Laksamshu site that you've named for us, is he gaffing?
A Yes.
MR. RUSH: All right. May that be the next exhibit, please.
THE COURT: Exhibit 125.
THE REGISTRAR: Exhibit 125.

(EXHIBIT 125 - Photograph)

THE COURT: Could I inquire if the witness knows when the fish ladder was constructed?
MR. RUSH:
Q Do you remember, Mrs. Alfred, what year it was or how old your children were at the time that the fish ladder was built?
A When Henry and Andrew -- they were big boys at that time when that was -- when that was put in.
Q Okay. Mrs. Alfred, was the fish ladder constructed over several years or more -- on more than one occasion?
A They worked on that only -- they worked on that only when the water -- the river was down during the fall season. They probably worked on it for two seasons.
MR. RUSH: Okay. I can call that evidence, My Lord.

THE COURT: That's all right.
MR. RUSH: But I can tell you that -- I don't think it's -- it will be a disputed point. It was built in the early '50's.
THE COURT: Yes, all right. Thank you.
MR. RUSH:
Q Now, I want to show the witness a photograph at tab 9. Do you recognize this, Mrs. Alfred?
A I don't know that fish trap, but it looks like it's probably down at Hagwilget Canyon.
Q This?
A I don't know about that one there.
Q Have you seen fish traps like this one?
A I never seen them but I think this basket that you see they put into the river and when they raise it the fish are in there and then they dump it into that -- in that chute-like thing.
Q Okay. Have you seen a fish trap operate like that at Moricetown or anywhere else?
A No.
Q Okay.
A That photo you showed me earlier, that's only one I seen.
Q Okay. And this scene you think is at Hagwilget?
A Yes. It could be from Hagwilget or else further down river.
Q Okay. Does it look to you as though it is from Hagwilget?
A Yes, it does look like -- it does look like it's from Hagwilget. I've never seen a fish trap like that myself.
Q All right. Well I can identify the background but not the foreground.
THE COURT: Any reason why it shouldn't be marked, Mr. Plant, for the purpose of?
MR. RUSH: I'm going to have another witness speak to this and I would appreciate that it be marked at this juncture.
THE COURT: Yes, all right. 126 -- does it have to be for identification?
MR. PLANT: Well I don't have any problem with it being marked right now, My Lord.
THE COURT: All right.
MR. PLANT: My copy of this photograph, unlike most of the others that have been produced to date through this witness, doesn't have a reference to the provincial museum. If it came from the provincial museum then it would, in my view, be an archive document and

therefore --
THE COURT: Unless one says something about it it won't prove anything about it anyway. But mark it to show what we've been talking about.
MR. RUSH: Well the number that I have for it is 28541 and I believe it's provincial.
THE COURT: Yes, all right.
MR. RUSH: That's 28541 and I would like it marked if I could.
THE COURT: Yes, 126.
MR. RUSH: Thank you.

(EXHIBIT 126 - Photograph)

MR. RUSH:
Q Mrs. Alfred, you told us that you fished yourself at Taas Taan K'et?
A No. I finished myself at Ts'ak'uk'et.
Q Ts'ak'uk'et, all right.
A Out at Taas Taan K'et it is too dangerous for woman, there is no way I would fish out there. That is for good strong men.
Q All right. And were there some strong men from Wah Tah K'eght's house who fished there?
A Yes.
Q All right. And Mrs. Alfred, have members -- I guess men from Wah Tah K'eght's house fished at that fishing site for as long as you know?
A Yes.
Q And was that fish site, was that destroyed by the construction of the fish ladder?
A No. We are still using that site now.
Q All right.
THE COURT: I haven't got the identification of this particular site.
MR. RUSH: Okay. That is --identification of the name or the place?
THE COURT: Whichever one you were last asking the witness.
MR. RUSH: All right. I was asking the witness about Taas Taan K'et, and that, Mr. Mitchell, should be? It was one of the first sites that we talked about in Mrs. Alfred's evidence on the photographs.
THE COURT: Well 435? No, I don't think that's it.
THE TRANSLATOR: Part of it is 501.
MR. RUSH: It's 501, yes.
THE COURT: All right.
MR. RUSH: When you say part of it is at 501, what would Taas Taan K'et, how would that be spelt?

THE TRANSLATOR: Taas Tann K'et, T-A-A-S, T-A-N-N, K-'-E-T.
MR. RUSH:
Q Taas Tann K'et, just add K-'-E-T. All right, thank you.
And My Lord, on Exhibit 123 which was tab 6, it's the "T" that's located on that photograph.
Now Mrs. Alfred, was there -- is there any other Wah Tah K'eght fishing site located close to Taas Tann K'et that you have not mentioned so far in your testimony?
A Yes. Just when the water recedes at low water level, just below Taas Tann, Taas Tann K'et, a rock appears when the water recedes, and there is -- they set a pole out to get to that rock, and that's where they fish for -- for steelhead and which they call Tes dlii K'et.
Q Okay. Is Tes dlii K'et owned by Wah Tah K'eght?
A Yes.
Q Is it used today by Wah Tah K'eght?
A Yes.
THE COURT: Sorry, I have no Tes dlii K'et yet.
MR. RUSH: No, I was just going to ask Mr. Mitchell to give it us to.
THE TRANSLATOR: T-E-S, D-L-I-I, K-'-E-T.
THE COURT: And do we have it identified as to where it is?
MR. RUSH:
Q I'm just going to ask the witness.
I'm going to again show you Exhibit 123, Mrs. Alfred, where you put a "T" on this exhibit, and can you just tell us whether or not -- I think it's Tes dlii K'et? Tes dlii K'et, where that's located?
A Tes dlii K'et is down below Taas Tann. When the water goes down below -- when the water goes down, a rock appears, a rock that looks like the one that the man is standing on, and that's where they fish.
Q And is that in front of and below this rock where we have the "T" marked on Exhibit 123?
A Yes.
MR. RUSH: Okay, all right.
THE COURT: That's the site of Wah Tah K'eght, is it?
MR. RUSH: Yes. Actually, the second site of Wah Tah K'eght.
THE COURT: All right, thank you.
MR. PLANT: I didn't see what in front was.
MR. RUSH: Okay. I'm going to point an arrow down, if you just tell me where to point it.
MR. PLANT: On the other side of the rock.
MR. RUSH: Yes. I think she --

THE COURT: On the other side?
MR. RUSH:
Q It's the other side of the rock marked "T".
A She is pointing just down there.
Q Okay. Would be -- if I pointed an arrow this way, would it be down on the other side of this rock?
A Facing towards the top of the picture, it would be straight down. That picture shown is in high water condition, and when the water goes down that rock appears.
Q All right. Does Your Lordship have the rock with the "T" on it?
THE COURT: Yes.
MR. RUSH: Well as I understand the evidence of Mrs. Alfred, and I'm sure my friend will correct me if I'm wrong, that the place where the site we are now talking about is, is in front of -- that is not the front that's facing us but on the other side of that rock.
THE COURT: Yes.
MR. RUSH: And below it out of site.
THE COURT: Yes.
MR. RUSH:
Q And would appear at the low water mark. I don't think I'll put anything on that photograph.
Mrs. Alfred, did members of your family teach you about the fishing sites that were owned by Wah Tah K'eght?
A Yes.
Q Okay. Now one of the photographs that I showed you, showed a fish basket, and I think you said it belonged to Louis Tommy, a fish trap?
A Yes.
Q And before the fish ladder was built, was that kind of trap commonly used?
A Yes.
Q And I think you said to me that Louis Tommy's fish trap was an effective way of catching fish. Can you just tell us why?
A The fish traps that we use at that time, same as that one across the river, they were -- when -- the fish from that was shared by people in the village, some of the less fortunate people, and each basket was given to different families.
Q Okay. Mrs. Alfred, can you say how many fish would have been taken in one of those baskets at one time?
A For every time -- for every time we took that basket out, it would catch upwards about 40 fish, sometimes

less.
Q Okay. And was that basket used for catching certain types of fish?
A It was mainly used to catch smaller fish, smaller salmon like sockeye and coho, we didn't catch any springs in there.
Q Mrs. Alfred, after the fish ladder was built, you told us that some of the fishing sites were destroyed in the building of the fish ladder; is that right?
A Yes.
Q Were they blasted?
A Yes, it was blasted.
Q Now, I take it that some of the fish sites which you've identified, you said are no longer there to be used?
A Yes. They've all been destroyed except for two sites across the river and two sites on this side of the river.
Q Okay. Now, those sites that still remain, Mrs. Alfred, are those shared by people at Moricetown, that is shared in the sense of sharing the fishing from those sites?
A Yes, it is commonly used now, but amongst people -- or the chief has two fishermen, Roy Morris and Adam Gagnon. When they do fishing they fish for everybody and they share it with everybody, although there is some younger people that do fishing also.
Q Roy Morris, that's Woos, the present holder of the name Woos?
A Yes.
Q Thank you. And Adam Gagnon, do they provide you with fish, Mrs. Alfred?
A Yes.
Q All right. Do you give them anything in return for doing that?
A Sometimes in a feast we give them gifts like gloves or other things in return for their -- for their fishing for us.
Q Okay. Of those sites which are used today, you say they are shared but are they still -- is the chief still considered the owners of the sites that are left?
A Yes, it still remains the same.
Q Okay. You told us, Mrs. Alfred, that you fished, that is you gaffed for fish prior to the building of the fish ladder. Did you fish for your mother?
A Yes. We fished for our family use only at the time.

1 Q Okay. I understand your mother was blind?
2 A Yes.
3 Q And you helped provide her with fish?
4 A Yes.
5 Q And did you fish up until quite recently?
6 A Well, up until before the fish ladders went in, but
7 after the fish ladder were put in, there was no place
8 for people like me to go fishing.
9 Q Okay. Is that when the men of Wah Tah K'eght's house
10 continued fishing, after you?
11 A Yes.
12 Q All right. Mrs. Alfred, I'm going to ask you some
13 questions about the feast at Moricetown now.
14 THE COURT: Excuse me, Mr. Rush, I'm sorry, but I don't quite
15 understand that last evidence. I thought that site
16 503 -- I'm trying to find 503, which photograph it was
17 on -- is a women's site?
18 MR. RUSH: Yes.
19 THE COURT: Where is it again?
20 MR. RUSH: It's --
21 THE COURT: Yes, it's in Exhibit 123.
22 MR. RUSH: It should be in exhibit --
23 THE COURT: Or is that a different?
24 MR. RUSH: 123, that's -- that's correct.
25 THE COURT: And is that the women's site, or put it another way,
26 are there two fish ladders?
27 MR. RUSH: Yes.
28 THE COURT: There is one -- there is one on each side?
29 MR. RUSH: There is one on each side.
30 THE COURT: All right, that explains it all. That explains it,
31 thanks.
32 MR. RUSH: Yes, that's right, there is one on each side.
33 THE COURT: Yes.
34 MR. RUSH:
35 Q You told us, Mrs. Alfred, that your son Andrew passed
36 on. Can you tell us how long ago he died?
37 A I forgot.
38 THE COURT: Your friends won't mind if you lead on that, Mr.
39 Rush.
40 MR. RUSH:
41 Q I understand Andrew passed on about six years ago?
42 A Yes, it was probably about that time.
43 Q All right. There was a Head Stone --
44 THE COURT: I'm sorry, Mr. Rush. Doesn't the genealogy say
45 1932?
46 MR. RUSH: No, oh no. If it does it's mistaken.
47 THE COURT: Or is that a birth date?

MR. PLANT: Well there is a "D" beside it.
MR. RUSH: There is a "D" beside it but I'm sure that that is intended to be a "B".
THE COURT: I see, all right.
MR. RUSH:
Q Mrs. Alfred, was Andrew born, to the best of your memory, in 1932?
A Yes. He was 24th of May.
Q Okay. And Andrew, I understand, passed on in 1981; is that correct?
A Yes.
Q And there was a Head Stone Feast for Andrew that you participated in and contributed to?
A Yes. Yes, we invited people.
Q All right. And Mrs. Alfred, did you bring to that feast, material meat and berries from Wah Tah K'eght's territory to distribute at the feast?
A Yes.
Q And was this material and the meat announced at Andrew's feast?
A Yes.
Q Okay. And this was a feast that was hosted by the Laksilyu Clan?
A Yes. Yes, we all worked together on that.
Q All right. And did Christine Williams succeed to Andrew's Wet'suwet'en feast name?
A Yes.
Q And that name was Diil ts'aih?
A Yes.
MR. RUSH: How would you spell that, Mr. Mitchell? Go ahead, Mr. Mitchell.
THE TRANSLATOR: D-I-I-L --
THE COURT: Sorry.
THE TRANSLATOR: D-I-I-L, T-S-'-A-I-H.
MR. RUSH: A-I-H?
THE TRANSLATOR: Yes.
MR. RUSH:
Q Thank you.
Now Mrs. Alfred, did you also participate and contribute at the feast where your son Henry Alfred took the name of Wah Tah K'eght?
A Yes.
Q And he took the name after Peter Bazil Senior passed on in July of 1966?
A Henry took the name one year after the death of Peter Bazil. He -- when you fix up the grave, usually wait a year to get ready for that feast.

Q Yes. Now before Peter Bazil passed on, did he announce that Henry would take the name Wah Tah K'eght?
A Yes.
Q Okay. And was Peter Bazil's choice of Henry as Wah Tah K'et approved of by the other chiefs?
A Yes.
Q And did Peter Bazil do this before witnesses?
A Yes.
Q Okay. Now, the -- at the funeral feast again it would be the Laksilyu clan that was -- was the host?
A Yes.
Q And I understand it was the Laksamshu clan that were the father's side, and they were hired and repaid for the funeral expenses?
A Yes.
Q And the feast was held in Peter Michell's hall, which is in the middle of Moricetown?
A Yes.
Q And Mrs. Alfred, I understand that at one time, many of the chiefs had their own separate feast halls where the feasts were conducted?
A Yes.
Q All right.
THE COURT: Is this a convenient time to take the break, Mr. Rush?
MR. RUSH: Yes.
THE REGISTRAR: Order in court. Court stands adjourned for the afternoon adjournment.

(PROCEEDINGS ADJOURNED AT 3:00 p.m.)

I hereby certify the foregoing to be a true and accurate transcript of the proceedings herein transcribed to the best of my skill and ability.

Toni Kerekes,
O.R., R.P.R.
United Reporting Services Ltd.

1 MADELINE ALFRED, Resumed:
2 THE COURT: Mr. Rush?
3 MR. RUSH:
4 Q Mrs. Alfred, the feast that I have been referring you
5 to is the funeral feast that occurred shortly after
6 Peter Bazil died in 1966.
7 A Yes.
8 Q And at this feast, Henry was announced as the
9 successor to the name of Wah Tah K'eght?
10 A Yes.
11 Q And at this feast, the chiefs Gisdaywa, Smogelgem,
12 Caspit, they spoke at this feast and agreed that he
13 should take the name?
14 A Yes.
15 Q Now, the feast, the funeral feast occurs a year before
16 the headstone feast, as I understand what you said
17 earlier?
18 A Yes, it would be a year before the headstone feast
19 because you have to have a year to get ready for the
20 headstone feast after the funeral feast.
21 Q And in the case of Wah Tah G'eght, who had the
22 authority to speak for Wah Tah G'eght and the house
23 between the funeral feast and the headstone feast?
24 A It would be Hagwilnegh, he would stand up at a
25 gathering and speak for us.
26 Q And why Hagwilnegh?
27 A Hagwilnegh is a good speaker and that's why he speaks
28 for us.
29 Q But, Hagwilnegh is from your clan as well, is he not?
30 A He is from a different house, C'enegh la yex, but as a
31 chief he sits alongside Wah Tah K'eght in the feast
32 house.
33 Q He is in the same clan? He is Laksilyu?
34 A Yes.
35 Q Laksilyu?
36 A Yes.
37 Q Between the funeral feast and the headstone feast,
38 what responsibilities did Henry Alfred have with
39 regard to the territory?
40 A Henry would use the territory to gather material for
41 the funeral feast and -- I mean the headstone feast,
42 which he would, stuff he would get from the territory.
43 Q Now, I want to ask you about the headstone feast that
44 occurred, you say, a year later. Were you involved in
45 inviting guests to this feast?
46 A Yes, I went with him.
47 Q And you say you went with him, who did you go with?

A Yes, I went with Henry when he went inviting.
Q Was anyone else with you at the time?
A I forget who was with us. Somebody who uses Saneel was with us.
Q Was that Johnny David?
A Yes, I think it was him, he was a person using Saneel.
Q Now, at the headstone feast where the name was passed to Henry, did Henry wear a button blanket?
A Yes.
Q And did he do the Kungax?
A Yes.
Q What did he do?
A He went along Tah l us Kungax and he would use that staff or cane to hook the chiefs.
Q Did he perform this Kungax at the headstone feast?
A Yes.
Q And I want to show you a photograph, if I can, tab 10, this is a colour photograph of a person wearing a button blanket, is that the blanket that Henry wore at the headstone feast where he took the name?
A Yes.
Q That is Henry wearing the blanket there?
A Yes.
Q And on the back of the blanket it looks like there is a weaving or a sewing of an animal; what is the animal?
A That's cariboo.
Q And is the cariboo the crest of Wah Tah G'eght?
A No, that's my crest.
Q The cariboo is your crest?
A Yes. Henry, we all use that same blanket together.
Q Is this your blanket?
A Yes.
Q Did Henry use your blanket at the feast when he took the name?
A Yes.
Q And the cariboo, is this your crest or is this the crest of the house?
A Yes, it would be also the crest of the house of Tsee K'al K'e yex.
MR. RUSH: May that be the next exhibit, please?
THE REGISTRAR: 127.

(EXHIBIT 127: PHOTOGRAPH)

Q Now, Mrs. Alfred, when Henry performed the Kungax and used the staff at the feast, did the other chiefs do

1 something back to him?
2 A They, when he hooks the chiefs that are sitting down,
3 they in turn get up and do their Kungax and their own
4 song, and they perform with him.
5 Q Okay. And did -- do you remember if one of the
6 chiefs, Gisdaywa, did he perform his Kungax back?
7 A Yes. All the chiefs, they all do the same things, all
8 get up and do their own Kungax.
9 Q Now, after Henry completed the Kungax, and the other
10 chiefs did their Kungax, was that the time that the
11 hosts, that is, the Laksilyu, served the food around?
12 A Yes.
13 Q Now, you told us that, you told us previously that
14 foods from Wah Tah K'eght's territory were served at
15 the feast; did that happen at this feast where Henry
16 took the name?
17 A Yes.
18 Q Could you tell us what you remember the foods were
19 that were distributed at the feast from Wah Tah
20 K'eght's territory?
21 A Yes, there was smoked meat, berries which we had
22 gathered especially for this feast. That was all
23 eaten at that feast.
24 Q All right. Was the smoked meat, was that moose meat
25 or bear meat or what kind of meat was it?
26 A It was all kinds of meat, like beaver, bear, moose, we
27 get that all prepared within that one year period.
28 Q Okay. Now, there is a part of the headstone feast
29 that I understand is called the Ah y'eah? It's 201,
30 my lord.
31 THE COURT: I have it. Thank you.
32 A The children of Wah Tah G'eght, they all dance in with
33 towels, blankets, money, that's all the Ah y'eah.
34 Q What do they do with the towels and blankets and the
35 money?
36 A Yes, all that is distributed to the guests.
37 Q Okay. Thank you. And is the father's clan singing
38 and playing the drums at the time they come in?
39 A Yes.
40 Q All right. Now, I understand after that, Mrs. Alfred,
41 there is the part of the feast which is called the
42 Andumenuk and then the Hawal?
43 A Yes.
44 Q I won't ask you about those. Mr. Joseph has given us
45 evidence about that.
46 Mrs. Alfred, I understand that there is a part of
47 the feast where sugar is distributed to the guests who

are invited by the Laksilyu and this happened at Henry's feast; is that right?
A Yes, that's right.
Q And that larger portions are given to the high chiefs of the clan and smaller portions are given to sub chiefs and other invited guests?
A Yes, that's right.
Q And can you tell us why sugar is distributed at the feast?
A That tradition has always carried on from the past. They invite people to -- they invite the guests so as the guests can receive these gifts.
Q And why sugar in particular, why do you give sugar as part of the ceremony at the feast?
A I don't know but only recently they started using sugar.
Q And do you remember what they used before they used sugar?
A Before the use of sugar, our ancestors used moose hide and other things from the territories. But only they were already starting to use sugar at the time after I was born.
Q Okay. Are these hides more difficult to get now?
A Yes. They don't get -- they rarely get one or so nowadays.
Q As what?
A They rarely get one moose or so nowadays.
Q Okay. Now, the -- after the distribution of the sugar, I understand there is also another part of the feast where berries are distributed?
A It's much the same thing as distribution of sugar, but when you use berries, they raise the berries up and then they give it to the chiefs and they in turn dance with it. And what's left over is distributed around the feast hall among the guests.
Q What is this called when they do that?
A Taking Tek'ul wus.
Q Why do they do this as at the feast?
A That is one of the customs of the inviter.
Q Does it refer to the authority of the host chiefs or the host chief rather?
A Yes.
Q Okay. And the berries that were handed out at Henry Alfred's headstone feast, did they come from Wah Tah K'eght's territory?
A Yes.
Q Did the kids collect them?

A Yes.
Q And I understand that the people who have the berries in the bowl dance with the berries; is that right?
A Yes.
Q Okay. And the performance or the final part of the feast that Te K'ul wus, that's followed by the chiefs at the feast who speak; is that right? Following that ceremony, do the chiefs then speak? Improve my question here.
A Yes.
Q Now, Mrs. Alfred, do you remember if Gisdaywa and Hagwilnegh and Smogelgem spoke at Henry's feast?
A Excuse me, what was the other name?
Q Gisdaywa, Hagwilnegh and Smogelgem.
A Yes, that is when they speak and they speak in favour of Henry taking the name Wah Tah K'eght and they confirm it.
Q Did Woos speak at the feast?
A Yes.
Q And did Alec Tiljoe speak?
A Yes.
Q Okay. Are these --
THE COURT: I am sorry, the first name?
MR. RUSH: Alec.
Q And, Mrs. Alfred, were these the leading chiefs of each clan that spoke at that feast?
A Yes. Yes, they are chiefs.
Q Mrs. Alfred, we have been talking about the headstone feast of Wah Tah G'eght when Henry Alfred took the name, this is where the Laksilyu clan had hosted the feast, that's right, isn't it?
A Yes. Yes, that is where all the Laksilyu clans also help one another, that is what they call Hawal.
Q In such a case, the Laksilyu clan are not seated but they are actually serving at the feast?
A Yes.
Q All right. Now, I want to just pause for a moment here, Mrs. Alfred, and ask you that when the Laksilyu are the guests, they sit in a certain place in the feast hall, and I had prepared a chart of the seating of the Laksilyu and I just want to show that to you. It's tab number 3.
Now, I have a chart which is, I understand, a seating chart of the Laksilyu clan. Was this chart translated to you by Mr. Holland in my presence?
A Yes.
Q And the seating chart of the Laksilyu clan shows where

the chiefs of the Laksilyu sit when they are the guests at a feast?
A Yes.
Q Okay. And the back row in the middle it shows Hagwil negh and there is no name there because the holder of Hagwil negh has recently passed on?
A Yes.
Q And to the right of a Hagwil negh sits Henry?
A Yes.
Q And to -- and beside Henry is yourself?
A Yes.
Q And beside you is Bazil Michell?
A Yes.
Q And beside Bazil Michell is George Holland?
A Yes.
Q And beside him is Mary Michell?
A Yes.
Q And beside Mary, Don Kenni, to the right of Mary Michell is Don Kenni?
A Yes.
Q And beside Don Kenni is Charles Austin?
A Yes.
Q And beside Charles, Louise Lecert? Beside Charles Austin?
A Yes.
Q And beside Louise is Ron Austin?
A Yes.
Q And beside Ron, Marion Austin and Frank Austin?
A Yes.
Q Okay. Now, I wanted to go on the other side of Hagwil negh, to the left of Hagwil negh sits John Namox who is the head chief of Wah Tah Kwets' house?
A Yes.
Q And --
A Yes.
Q And beside him is William Simms, Gitumskanees?
A Yes.
Q And beside William Simms is Johnny David, Maxlaxlex?
A Yes.
Q And then Mable Sam, Crich Kela?
A Yes.
Q And then beside Mable is Stanley Nikal?
A Yes.
Q And beside Stanley, Roger Bazil?
A Yes.
Q And then beside Roger, there is no holder of the name but there is the place for the name of Skokumwasaas?

A Yes, he has passed on and there hasn't been a successor to that name yet.
Q And beside the place for that name is Agnes Bazil?
A Yes.
Q And then Lucy Bazil?
A Yes.
Q And then Barbara Naziel?
A Yes.
Q And then beside Barbara Naziel is Violet Gellenbeck?
A Yes.
Q And then beside Violet is Sarah Tait?
A Yes.
Q And Agnes Tait sits beside Sarah?
A Yes.
Q All right. And then beside Agnes is Kathryn Naziel?
A Yes.
Q All right. And beside Kathryn is Lissette Naziel?
A Yes.
Q And now this is coming along the side wall apparently, is Josephine Michell?
A Yes.
Q And then beside Josephine Michell is Ron Michell?
A Yes.
Q And then Audrey Muckle?
A Yes.
Q And then finally Phillip Tait sits right at the end there.
A Yes.
Q Okay.
A Phillip Tait is by the door.
Q I didn't read all of the Wet'suwet'en names, partly because I am sure I couldn't spell them effectively, but there are, for these chiefs, there are Wet'suwet'en names.
Now, Mrs. Alfred, I just wanted to point out to you that the row of people sitting in front of the back row shows in front of John Namox, Jean Namox and do you understand that to be Pat?
A Yes, that's the same person.
Q Okay. And to John or Pat Namox, there is no person showing seated in front of Hagwil negh?
A No. No successor.
Q And beside that place is Christine William?
A Yes.
Q And then Warren William?
A Yes.
Q And Cecil Alfred is sitting in front of Bazil Michell?

A There may be some mix-up in the seating plan there. Supposed to be sitting in front of Henry.
Q Cecil is supposed to sit in front of Henry?
A Yes.
Q All right. And would Christine then sit in front of Basil, Christine William?
A Yes.
Q Okay. All right. Then beside Christine William who would be sitting then in front of Basil Michell, would that be Christine Bucholz sitting in front of George Holland?
A Yes, that's right.
Q And then beside Christine, Janet George?
A Yes.
Q And then beside her, Irene Brown?
A Yes.
Q Okay. And then beside Irene is Dorothy George?
A Yes.
Q And then beside Dorothy, Helen, looks like Michell?
A Yes.
Q And then beside Helen, Georgina Gagnon?
A Yes.
Q And then beside Georgina is Pat Wilson?
A Yes.
Q Now, I did not direct your attention to the two people who were seated, it looks at the end of the back wall, one Thomas Holland who is shown as having the name of Stal'op, which is here?
A That's right.
Q And then Lawrence Michell, who holds the name of, apparently, Was d'as?
A Was d'as.
Q Now, I just wanted to ask you, beside going the other way to the left of Pat Namox is Peter Jim, who is Legiboo?
A Yes.
Q And then in front of Johnny David, there is shown to be no successor placed there but beside that space is Mary Simpson?
A Yes.
Q And then beside Mary is Darlene Vantunen, who apparently holds the name of Ah Kot?
A Yes.
Q And then there is an opening in front of Roger Bazil and then beside that is Sandra John?
A Yes.
Q And then Mary John beside Sandra, Diilee?

A Yes.
Q And then apparently Corrie Gould?
A Yes.
Q And then there are no names for the remaining three seats there. Okay.
Can that be marked as the next exhibit?

(EXHIBIT 128: SEATING PLAN LAKSILYU CLAN)

A The vacant spots are for people that do not have names as yet.
THE COURT: I notice it's 4 o'clock, Mr. Rush. Anything else you want to do or should we adjourn?
MR. RUSH: This would be convenient, thank you.
THE COURT: All right. Just a moment, please. The vacant spots are for persons waiting names? I think that's what Mr. Holland said.
MR. RUSH:
Q I think that was the last --
A For vacant spots for guests without names.
THE COURT: Guests without names.
MR. PLANT: Sorry, the spots or the blank seats?
MR. RUSH: The vacant spots.
THE COURT: All right. Thank you. We will adjourn now.

(PROCEEDINGS ADJOURNED TO FRIDAY, JANUARY 15, 1988 AT 10 O'CLOCK A. M.)

I hereby certify the foregoing to be a true and accurate transcript of the proceedings herein to the best of my skill and ability.

Wilf Roy
Official Reporter